I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, Washington, DC 20231" on

Atty Dkt No. 7610-0022.22
PATENT #44

March 15, 2002 ar 2002 Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Mitchell W. MUTZ et al.

Serial No.: 10/040,926

Group Art Unit: 1623

Filing Date: December 28, 2001

Examiner: Unassigned

Title: FOCUSED ACOUSTIC EJECTION CELL SORTING SYSTEM AND METHOD

Information Disclosure Statement

Commissioner for Patents Washington, DC 20231

Sir:

This is an Information Disclosure Statement submitted for the Examiner's consideration. Applicants respectfully request that the Examiner review and make of record the references identified below.

The references identified below and listed on the attached PTO-1449 forms as Reference Nos. AA-AD were disclosed in parent application Serial No. 09/751,666, filed December 28, 2000, and, as such, copies thereof are not included pursuant to the provisions of 37 CFR § 1.98(d).

	U.S. PATENT DOCUMENTS	
Desument No.	Issue Date or Publication Date	Name of Patentee or Applicant
Document No.	Filed 9/25/00	Ellson et al.
Serial No. 09/669,996	4/9/96	Weinreb et al.
5,506,141		Taylor
6,103,479	8/15/00	1 ayloi

NONPATENT DOCUMENT
"CellSelector ^{IM} " product description, Cell Robotics Inc., Albuquerque, NM.
"CellSelector" product description, Cell Robotics Inc., Albuquerque, 1992.

The references identified below and listed on the attached PTO-1449 form as Reference Nos. AE-BA are newly cited. The first six newly cited references identified above and as listed on the attached PTO-1449 form as Reference Nos. AE-AJ are U.S. patent applications. As such, copies of those references are not included pursuant to 37 CFR § 1.98(a)(2)(iii). Accordingly, copies of Reference Nos. AK-BA are enclosed herewith.

Document No.	Issue Date or Publication Date	Name of Patentee or Applicant
Serial No. 09/669,194	Filed 9/25/00	Ellson et al.
Serial No. 09/727,392	Filed 11/29/00	Mutz et al.
Serial No. 09/962,730	Filed 9/25/01	Ellson et al.
Serial No. 09/964,193	Filed 9/25/01	Mutz et al.
Serial No. 09/964,212	Filed 9/25/01	Ellson et al.
Serial No. 09/999,166	Filed 11/29/01	Mutz et al.
2,056,426	10/6/36	Frantz
3,380,584	4/30/68	Fulwyler
3,710,933	1/16/73	Fulwyler et al.
4,308,547	12/29/81	Lovelady et al.
4,500,707	2/19/85	Caruthers et al.
4,765,737	8/23/88	Harris et al.
5,041,849	8/20/91	Quate et al.
5,158,889	10/27/92	Hirako et al.
5,436,327	7/25/95	Southern et al.
5,700,637	12/23/97	Southern et al.
5,798,779	8/25/98	Nakayasu et al.
6,044,981	4/4/00	Chu et al.
6,120,735	9/19/00	Zborowski et al.

NONPATENT	DOCUMENTS

Amemiya et al. (1997), "Ink Jet Printing with Focused Ultrasonic Beams," IS&T NIP 13: 1997 International Conference on Digital Printing Technologies, pp. 698-702.

Kotecha et al. (1996), "Increase in Interleukin (IL)-1β and IL-6 in Bronchoalveolar Lavage Fluid Obtained from Infants with Chronic Lung Disease of Prematurity," *Pediatric Research* 40(2):250-256.

Steel et al. (2000), "The Flow-Thru ChipTM: A Three-Dimensional Biochip Platform," *Microarray Biochip Technology*, Chapter 5, pp. 87-117, BioTechniques Books, Natick, MA.

Theriault et al. (1999), "Application of Ink-Jet Printing Technology to the Manufacture of Molecular Arrays," DNA Microarrays: A Practical Approach, Ed. M. Schena, Chapter 6 (Oxford University Press).

A PTO-1449 form listing all the references accompanies this paper. Applicants would appreciate the Examiner's initialing and returning the form to indicate that the references have been reviewed and made of record.

This Information Disclosure Statement is not intended as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that any of the above references constitutes prior art to the present application within the meaning of 35 USC § 102.

Atty Dkt No. 7610-0022.22 Serial No. 10/040,926

As applicants have not yet received a first Action on the merits, no fee is required for filing this Information Disclosure Statement. If, however, the PTO finds that for some reason a fee is found to be necessary, our Deposit Account No. 18-0580 may be charged therefor. A duplicate copy of this paper is enclosed.

Respectfully submitted,

By:

Dianne E. Reed

Registration No. 31,292

REED & ASSOCIATES 800 Menlo Avenue, Suite 210 Menlo Park, California 94025 (605) 330-0900 Telephone (650) 330-0980 Facsimile

Sheet Shee				Complete if Known					
Sheet S	INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)								
STATEMENT BY APPLICANT			First Named Inventor Mitchell W. MUTZ		28, 2001	_			
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